

The Commonwealth of Massachusetts

DEPARTMENT OF

TELECOMMUNICATIONS AND ENERGY

LEGAL NOTICE

D.T.E. 99-81

Petition of Berkshire Gas Company, pursuant to G.L. c. 164, §§ 76 and 94A, for Approval by the Department of Telecommunications and Energy of a Gas Resource Portfolio Management Contract.

On August 17, 1999, Berkshire Gas Company ("Company") provided a copy of its Request for Proposals ("RFP") for a gas resource manager to the Department of Telecommunications and Energy ("Department"). As indicated in the RFP, the Company has solicited bids from potential portfolio managers for the provision of three services: (1) the management of certain upstream interstate gas supply, transportation and underground storage assets, including nominations and balancing; (2) the management of underground storage injections and withdrawals; and (3) the provision of the city-gate gas supply requirements of the Company's sales customers. These services are requested for a period to commence November 1, 1999 and terminate as soon as October 31, 2000 but no later than October 31, 2002.

The Company asserts that the length of time between the bid and the effective date will affect the value of the bids submitted by potential portfolio managers. The Company believes that a review process longer than 30 days would significantly diminish the value attained for the portfolio. Accordingly, the Company intends to file the gas resource portfolio management contract on September 24, 1999, for approval by October 15, 1999, in order to commence the arrangement on November 1, 1999.

The Department has docketed this matter for investigation as D.T.E. 99-81. A copy of the Company's RFP is available for inspection during business hours at the Department's offices, 1 South Station, Boston, Massachusetts or from the Company's attorneys:

Jim Avery, Esq.

Rich, May, Bilodeau & Flaherty, P.C.

176 Federal Street

Boston, Massachusetts 02110

(617) 556-3859

In addition, a copy of the RFP is available on the Department's website, <http://www.magnet.state.ma.us/dpu/gas/99-81/>. Copies of the Company's Petition, the gas resource portfolio management contract and any supporting materials will also be available from these locations after September 24, 1999. Persons interested in receiving copies of the Company's September 24, 1999 filing must submit a letter of interest no later than the close of business on September 21, 1999 to Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, 1 South Station, Boston, Massachusetts 02110 with a copy to the Company's attorneys at the address above. In addition, interested persons may submit with the letter of interest, brief preliminary comments (less than five (5) pages) outlining any issues of concern with regard to the proposed portfolio management arrangement.

The Department will accept written comments on the RFP and the gas resource portfolio management contract until Thursday, September 30, 1999 at 5:00 p.m. Kindly submit twelve (12) copies of your comments to Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, 1 South Station, Boston, Massachusetts 02110. Receipt by the Department -- not mailing -- constitutes filing and determines whether comments have been timely filed. The Company shall submit any response to comments to the Department by the close of business on October 4, 1999.

In addition, an electronic copy of all comments must be provided, by one of two means: (a) e-mail attachment to Kimberly.Tran@state.ma.us ((617) 305-3768) using a program compatible with WordPerfect, naming the document file with a .wpd suffix and specifying in the e-mail the identity of the commenter, the case caption, and the docket number; or (b) 3.5" floppy diskette containing a file compatible with WordPerfect 5.0 or higher specifying on the diskette the identity of the commenter, the case caption, and the docket number.

Any person desiring further information regarding this Legal Notice should contact:

A. Quincy Vale, Hearing Officer

Department of Telecommunications and Energy

1 South Station

Boston, MA 02110

(617) 305-3500

By Order of the Department,

Mary L. Cottrell, Secretary

The Commonwealth of Massachusetts

**DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY**

ORDER OF NOTICE

D.T.E. 99-81

Petition of Berkshire Gas Company, pursuant to G.L. c. 164, §§ 76 and 94A, for Approval by the Department of Telecommunications and Energy of a Gas Resource Portfolio Management Contract.

The Berkshire Gas Company ("Company") shall, at least ten (10) days prior to September 24, 1999, give notice of the attached LEGAL NOTICE by publication in the Boston Globe, the Berkshire Eagle, and Greenfield Recorder, and serve a copy of the LEGAL NOTICE on all participants in the Department's generic gas unbundling proceeding, D.T.E. 98-32. The Companies shall make return of service and proof of publication to the Department on or before September 24, 1999, certifying compliance with this Order.

By Order of the Department,

Mary L. Cottrell, Secretary